

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Andrew Williams

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, SEPTEMBER 17, 2019 AT CITY HALL, 550 N 800 WEST**

Invocation/Thought – Andy Williams; Pledge of Allegiance – Judy Barking (Sego Lily Chapter – National Society of the Daughters of the American Revolution and West Bountiful resident)

1. Approve the Agenda.
2. Consider Proclamation Designating September 17, 2019 through September 23, 2019 as Constitution Week in West Bountiful.
3. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
4. Discussion and Update on 400 North Well.
5. Discuss Options for Deferral Agreement for Bennett's at 1311 W 400 North.
6. Discuss Financial Options for Bonding for the New Public Works West Yard.
7. Discuss 800 West Project Options.
8. Discuss City Hall Bowery Options.
9. Consider Approval of Minutes from the August 20 and August 27, 2019 City Council Meeting.
10. Public Works/Engineering Report.
11. Police Report.
12. Administrative Report.
13. Mayor/Council Reports.
14. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
15. Adjourn.

Those needing special accommodations can contact Cathy Brightwell at 801-292-4486 twenty-four hours prior to the meeting.
This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Clipper Publishing Company on September 13, 2019.



West Bountiful City

Proclamation

A PROCLAMATION DESIGNATING SEPTEMBER 17, 2019 THROUGH SEPTEMBER 23, 2019 AS CONSTITUTION WEEK IN WEST BOUNTIFUL

WHEREAS, September 17, 2019, marks the two hundred and thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23rd as Constitution Week.

NOW THEREFORE, I, Kenneth Romney, Mayor of West Bountiful City, on behalf of the City Council, do hereby proclaim September 17 through September 23, 2019 as Constitution Week and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Dated this 17th day of September 2019.

Mayor Kenneth Romney

Attest:

Cathy Brightwell, City Recorder

MEMORANDUM



TO: Mayor and City Council

DATE: September 13, 2019

FROM: Duane Huffman

RE: **Ditch at 1311 West 400 N**

This memo reviews the history of the property owners' requirement to pipe the ditch in front of their home at 1311 W 400 N and provides options on how to move forward.

Background

In 2013, McKay and Shealee Bennett applied for building permit to build a home at 1311 W 400 N. This application triggered city requirements for the property owner to construct public improvements such as sidewalk, curb, and storm drainage. On May 7th, 2013, the city council granted the Bennetts a deferral of most improvements, but the requirement to pipe the ditch in front of the home was not deferred. The storm drain impact fee of \$2,120 was waived to offset the cost of installing the size of pipe required by the city (36 inch reinforced concrete pipe). The Bennetts signed a deferral agreement in 2013 and proceeded with the construction of the home.

To date, the Bennetts have not installed the required pipe. When the city approached Mr. Bennett this summer about this requirement, he requested that the city re-consider this requirement based on the following items:

- Like other improvements, Mr. Bennett believes it would be better to install pipe all at once when the road is completed in the future.
- To connect his pipe with the neighbor's to the west, a junction box is required. This increases the costs, and because of interference with a utility pole, it is difficult to locate it on the property line.
- Mr. Bennett believes that smaller pipe can be installed across his property and the neighbor to the east (Price) until the road is complete.

Options

The council is being asked to consider the following general options:

1. Require the work to be completed per the terms of the 2013 building permit.
2. Extend the deferral agreement to include piping the ditch, and require the Bennetts to pay the previously waived storm drain impact fees of \$2,120.
3. Extend the deferral agreement to include piping the ditch, and allow the Bennetts to alter the required design of the piping the ditch by installing a smaller pipe across the properties at 1311 W and 1309 W.

Note: Most materials from 2013 incorrectly list the address as 1321 W 400 N.

Memorandum

Date: May 2, 2013

To: Mayor and City Council

From: Ben White

RE: Improvement Deferral Agreement for the 1321 W 400 North

The Bennett family is proposing to construct a home at 1321 West 400 North. This parcel has an Improvement Agreement dated December 3, 1991, recorded with Davis County prior to the property being annexed into the City. The terms of the agreement would require the installation of curb and sidewalk as a condition of a building permit.

It is staff's recommendation that the applicant be required to:

1. Pipe the ditch with a pipe large enough to convey storm flows as outlined in the City's drainage study; and the City waive the \$2120 Storm Drain Impact fee to offset the cost of installing the larger pipe size.
2. Execute a new Improvement Agreement stipulating that curb and sidewalk will be required as some future date as determined by the City.

Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, May 7, 2013 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance

MEMBERS PRESENT: James Ahlstrom, Mark Preece, James Bruhn, Dave Tovey, Debbie McKean. Mayor Kenneth Romney was excused,

STAFF PRESENT: Heidi Voordeckers (Interim City Manager/City Recorder/Auditor), Ben White (City Engineer), Cathy Brightwell (Deputy Recorder), Steve Maughan (Public Works Director), Steve Doxey (City Attorney), Chief Todd Hixson, Nathalie Ellingson (secretary).

VISITORS: Judy Cook, Wade Workman, Matt and Julie Jensen, Kelly Enquist, Terry Olsen, McKay Bennett, Shearee Bennett.

MOTION: Dave Tovey moved to appoint Mark Preece Mayor Pro Tem.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKean – Aye

Called to Order: Mayor Pro Tem Mark Preece called this meeting to order at 7:30 pm.

Invocation/Thought – James Bruhn gave an invocation
Pledge of Allegiance was led by James Ahlstrom.

1.
Accept Agenda

MOTION: Debbie McKean moved to accept the agenda.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKean – Aye

2.
Public Comment

Wade Workman, regarding Lot 21 Moss Farms, 935 North 700 West. As part of the permitting process, Mr. Workman obtained a conditional use permit to build a deck. The Planning Commission established two conditions; that the deck not be attached to the home, and that it have the appropriate setback set by the Planning Commission. Mr. Workman has built homes before and West Bountiful City has been good to work with. He feels like building in Moss Farms is like building in a different city. Per the conditions established, the deck is not attached to the home and Mr. Workman invited the council members to come to the home and see it. He said when he looks toward Mayor Romney's house, he can see four or five homes with attached decks that also exceed setbacks. He said he has never seen a mayor so involved with a building process in any other

MOTION: James Ahlstrom moved to approve storm drain agreements with the Fletchers, Hurdmans, and Brodericks related to the 400 North reconstruction project, and authorize excess funds for the improvements.

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting was as follows:

James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKean – Aye

10.

Consider Approval of Extension of
Deferred Maintenance Agreement –
Bennetts (400 N.)

The Bennett's, at 1321 W 400 N, want to build a home. When the lot was subdivided, a deferred agreement was put in place. Consistent with other deferred agreements on the street, Ben is asking council to approve an extension of the deferred maintenance agreement for putting in a curb and gutter until City Council requires it. They are asking the Bennett's to pipe the ditch now, and since the pipe will need to match the master plan site, the storm drain impact fee is being waived to offset that cost.

MOTION: Dave Tovey moved to approve the Extension of Deferred Maintenance Agreement for the property at 1321 West 400 North owned by the Bennetts.

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting was as follows:

James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKean – Aye

11.
Engineers Report

Ben –

- Regarding the deck issue at Moss Farms, Ben felt Mr. Workman was unfair to the Mayor in his earlier comments. Although it is in the Mayor's neighborhood, it is a staff issue, and Ben has been working with the inspector and the property owner. The issue will be resolved maybe not as quickly as Mr. Workman would like. James Ahlstrom said it is a trivial issue on which they have spent a lot of time, and they should defer to the resident. Ben said he will talk with the Planning Commission to see if they can get a more cohesive ordinance in this regard.
- Ben received two bids for an asphalt seal coat project which they are reviewing. They have some questions regarding material specifications.
- The 10th North well had been pumping the past four or five years since the major rework they did in 2008. Recent maintenance found the well casings full of holes, and they have removed three or four wheelbarrows full of sand from the bottom of the well. As of last week it was still too dirty to put a camera down. Today they put acid in to scrub inside the well. The work is going forward and

WHEN RECORDED, RETURN TO:

West Bountiful City Corporation
550 North 800 West
West Bountiful, Utah 84087

E 2747203 B 5790 P 3-7
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
06/13/2013 08:22 AM
FEE \$0.00 Pgs: 5
DEP RTT REC'D FOR WEST BOUNTIFUL

EXTENSION FOR OFF-SITE IMPROVEMENTS AGREEMENT

This Extension for Off-Site Improvements Agreement ("**Agreement**") is entered into this 10 day of JUNE, 2013, by and between WEST BOUNTIFUL CITY, a Utah municipal corporation (the "**City**"); and McKay & Shealee BENNETT (collectively, "**Owners**").

RETURNED
JUN 13 2013

RECITALS

- A. Owners have applied to the City for approval of a building permit to construct a residence on property owned by Owners located at 1321 West 400 North Street, West Bountiful, Utah, and more particularly described in the attached Exhibit A (the "**Property**").
- B. The City is willing to issue the building permit, subject to the completion of certain off-site improvements, namely, curb, gutter, asphalt road extension and sidewalk along the Property's frontage on 400 North Street, West Bountiful, Utah (collectively, the "**Improvements**").
- C. The City is willing to grant an extension of time for completing the Improvements according to the terms of this Agreement.

NOW, THEREFORE, for good and valuable consideration, including the mutual covenants set forth below, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. EXTENSION OF TIME. The City hereby grants the Owners, their successors and assigns an extension of time to complete the Improvements until 120 days after the City, in its sole discretion, determines the Improvements must be installed and makes a written request therefor to the Owners, or ten years from the date of this Agreement, whichever occurs first. The Owners will construct and install the Improvements subject to the City's inspection and approval and all applicable ordinances, standards, and regulations at no cost to the City; and will warrant the Improvements for a period of one year after the City's approval of the installation.

2. CITY'S OPTION TO COMPLETE IMPROVEMENTS. If for any reason the Owners do not complete the Improvements within the time allowed under this Agreement, the City is hereby authorized to construct and install the Improvements at the sole expense of the Owners, and to charge the Owners, jointly and severally, with the cost of such construction and installation. Such charge will constitute a lien against the Property.

3. SECURITY FOR COMPLETION OF IMPROVEMENTS. Before the Owners commence construction of the Improvements, the Owners will make a cash deposit with

the City equal to one hundred twenty percent (120%) of the total cost of the Improvements to be completed by the Owner, as estimated by the City. The deposit will be refunded in accordance with the West Bountiful Municipal Code after satisfactory completion of the warranty period provided in Section 1.

4. COVENANTS RUN WITH THE LAND. The covenants contained in this Agreement shall be construed as covenants with respect to real property and shall run with the land. Such covenants shall be binding upon the Owners' heirs, agents, successors in interest, and assigns.

5. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT. If a special improvement district for any of the Improvements is ever proposed to be created, neither of the parties will protest the creation of the district.

6. MISCELLANEOUS PROVISIONS.

a. Entire Agreement; Modification; Waiver. This Agreement constitutes the entire agreement and understanding of the parties with respect to its subject matter. This Agreement supersedes all previous or contemporaneous representations or agreements of the parties in that regard including, to the extent applicable, the Improvements Agreement and Grant of Lien recorded December 3, 1991, in the office of the Davis County Recorder as Entry No. 950259, Book 1454, Pages 889-91. No modification of this Agreement shall be valid or binding unless made in writing and signed by both parties. Any waiver of any provision of this Agreement shall be in writing and shall be signed by the party waiving the provision.

b. Severability. The provisions of this Agreement are severable, and the invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of the remaining provisions.

c. No Third-Party Beneficiaries. This Agreement is made for the exclusive benefit of the parties and their respective heirs, successors, and assigns. No other person or entity shall have any interest under this Agreement or be classified as a third-party beneficiary to this Agreement.

d. Attorney Fees. In the event the City is required to take any action to enforce its rights under this Agreement, the City shall be entitled to recover from the Owners its costs, including reasonable attorney fees, whether incurred in litigation or otherwise.

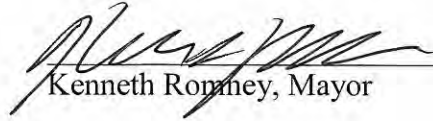
e. Reserved Powers. Nothing in this Agreement will limit the City's future exercise of its police power to complete the Improvements before the time allowed in this Agreement if the City, in its sole discretion, deems it necessary for the health, welfare, and safety of its residents. In such event, the City will charge the Owners for the cost of construction and installation of the Improvements.

[The remainder of this page is intentionally left blank.]

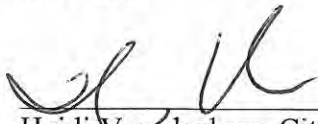
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.



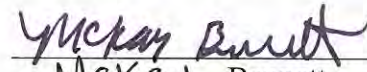
WEST BOUNTIFUL CITY

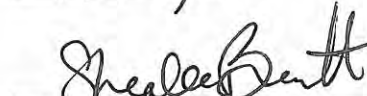

Kenneth Romney, Mayor

ATTEST:


Heidi Voordeckers, City Recorder

OWNERS:


McKay Bennett


Shealee Bennett

ACKNOWLEDGMENTS

STATE OF UTAH)
 : ss
County of Davis)

On the 11 day of May, 2012, Kenneth Romney and Heidi Voordeckers, the signers of the foregoing instrument, personally appeared before me and duly acknowledged to me that they executed the same as the duly authorized mayor and city recorder, respectively, of West Bountiful City.



Mischelle Robinson
Notary Public

STATE OF UTAH)
 : ss
County of Davis)

On the 10 day of ~~May~~ ^{June}, 2013, Mckay & Shealee Bennett, the signers of the foregoing instrument as Owners, personally appeared before me and duly acknowledged to me that they executed the same as Owners of the Property.



Mischelle Robinson
Notary Public

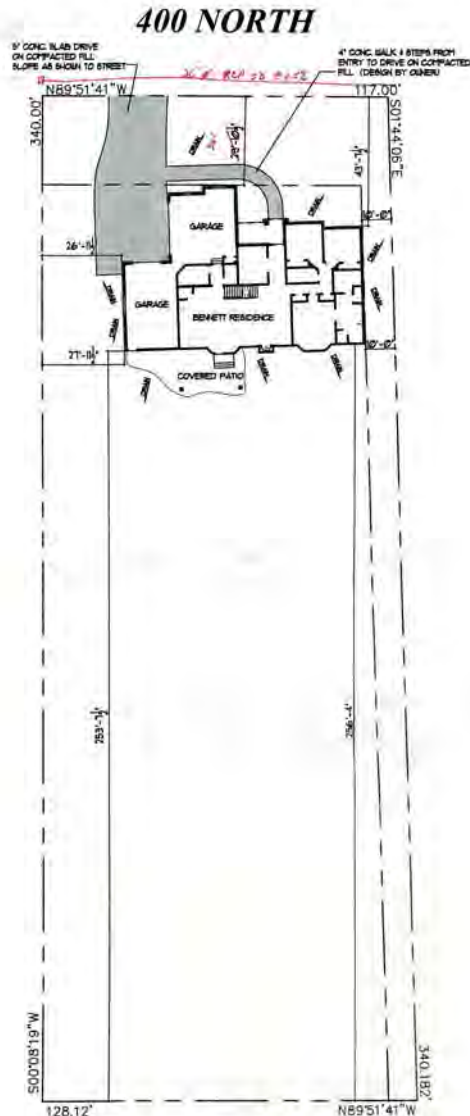
EXHIBIT A

Legal Description of the Property

Parcel # 06-032-0106

Consisting of real property located at 1321 West 400 North, West Bountiful, Davis County, State of Utah, more particularly described as follows:

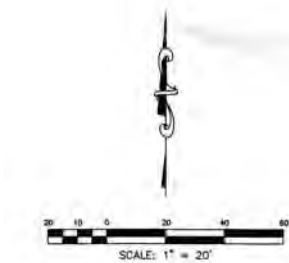
BEG AT A PT ON THE S LINE OF THE PPTY DESC IN BK 1441 PG 299; WH PT IS S 89°51'41" E 607.12 FT ALG THE 1/4 SEC LINE FR THE CENTER OF SEC 23-T2N-R1W, SLM; & RUN TH N 0°08'18" E 340.00 FT TO A PT ON THE BNDRY OF SD PARCEL & THE S LINE OF 400 NORTH STR; TH ALG THE BNDRY OF SD PARCEL IN THE FOLLOWING 3 COURSES TO THE POB: S 89°51'41" E 117.00 FT ALG THE S LINE OF SD 400 NORTH STR; S 01°44'06" E 340.182 FT; N 89°51'41" W 128.12 FT. CONT. 0.95 ACRES. ALSO: BEG AT A PT WH IS S 89°51'41" E 735.24 FT ALG THE 1/4 SEC LINE FR THE CENTER OF SEC 23-T2N-R1W, SLM; & RUN TH N 01°44'06" W 340.18 FT ALG THE E LINE OF PPTY CONVEYED IN BK 1792 PG 1034, TO THE S LINE OF 400 NORTH STR; TH S 89°51'41" E 2 FT ALG THE S LINE OF SD 400 NORTH STR; TH S 01°23'54" E 340.12 FT TO THE POB. CONT. 0.008 ACRES ALSO: BEG AT A PT WH IS S 89°51'41" E 607.12 FT ALG THE 1/4 SEC LINE FR THE CENTER OF SEC 23-T2N-R1W, SLM; & RUN TH N 01°42'53" W 340.18 FT TO THE S LINE OF 400 NORTH STR; TH S 89°51'41" E 11 FT ALG THE S LINE OF SD 400 NORTH STR; & RUN TH S 00°08'18" W 340 FT TO THE POB. CONT. 0.043 ACRES TOTAL ACREAGE 1.001 ACRES



1. 36" x 48" concrete pipe
2. Pipe slope @ 0.5%
3. Pipe installed in ground per U.S. Specification
4. Function line required in driveway and at pipe w/ a low profile lid
5. Patch top of pipe downstream with top of existing pipe
6. Maintenance meeting with the City and other down contractor is required

SITE PLAN GENERAL NOTES

- DUST, MUD AND EROSION SHALL BE CONTROLLED BY WHATEVER MEANS NECESSARY, AND THE ROADWAY SHALL BE KEPT FREE OF MUD AND DEBRIS, AT ALL TIMES.
- BUILDER/OWNER SHALL SECURE AN EXCAVATION PERMIT PRIOR TO DOING ANY WORK IN THE PUBLIC RIGHT-OF-WAY. TRAFFIC PLAN, BONDING AND INSURANCE WILL BE REQUIRED.
- PROVIDE FINISH GRADING AWAY FROM THE HOUSE ON ALL SIDES AT A MINIMUM OF 6" IN FIRST 10'-0" HORIZONTAL SLOPE IN LANDSCAPED AREAS. THEN MAINTAIN 2% MIN. HORIZONTAL SLOPE IN GRADE THEREAFTER TO APPROVED DRAINAGE AREAS.
- IF RETAINING WALLS ARE REQUIRED, A PROFESSIONAL ENGINEER CURRENTLY LICENSED IN UTAH SHALL INSPECT AND APPROVE ANY RETAINING WALL THAT IS HIGHER THAN (4) FEET FROM BOTTOM FINISH GRADE TO TOP OF WALL, ONCE CONSTRUCTED.
- PROVIDE ON SITE RETENTION OF ALL STORM RUN OFF, BY WHATEVER MEANS NECESSARY DURING CONSTRUCTION.
- SHOULD GROUND WATER BE ENCOUNTERED DURING EXCAVATION, A QUALIFIED SOILS ENGINEER SHALL BE RETAINED TO DESIGN AND APPROVE A CONTINUOUS FRENCH DRAIN AT FOUNDATION.
- MAINTAIN NATURAL EXISTING GRADE AT REAR AND SIDES OF LOT WHERE POSSIBLE TO RETAIN STORM WATER NO RUNOFF ONTO ADJACENT PROPERTIES.



1311 WEST 400 NORTH
WEST BOUNTIFUL, UTAH

SITE PLAN

SCALE: 1" = 20'-0"

BENNETT RESIDENCE

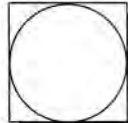
WHITNEY-BAILEY PLAN

DRAWING SCHEDULE

S1	SITE PLAN AND DRAWING SCHEDULE AND NOTES
A1	FOOTING, FOUNDATION AND BASEMENT FLOOR PLAN
A2	CONSTRUCTION NOTES AND WALL SECTION
A3	MAIN FLOOR PLAN
A4	UPPER FLOOR PLAN
A5	EXTERIOR ELEVATIONS
A6	EXTERIOR ELEVATIONS
A7	FRAMING PLANS, BEAM SCHEDULE AND TRUSS TYPES
A8	FRAMING SECTIONS
A9	ELECTRICAL, MECHANICAL, AND PLUMBING PLAN
A10	ELECTRICAL, MECHANICAL, AND PLUMBING PLAN
A11	ELECTRICAL, MECHANICAL, AND PLUMBING PLAN
ST1	STRUCTURAL DETAILS
ST2	STRUCTURAL DETAILS

GENERAL NOTES

- A. EXCAVATION, BACK FILL, GRADING & DRAINAGE
 1. All excavations for footings shall be to natural undisturbed soil.
 2. All back filling shall be done with gravel free draining material. Existing site material may be used as long as existing soils are free from clay soils and any decomposition debris. Compact all back fill material in 6" lifts to 95% of maximum soil density.
 3. Final grading shall be done so as to provide positive drainage away from all building foundations. A minimum slope of 6" per 10'-0" and shall be maintained with a 1% slope thereafter to approved drainage areas.
 4. All rectangular downspouts shall be spaced away from the house to an approved drainage area. No rectangular downspouts shall be placed in a driveway or on a driveway.
 5. If any ground water is encountered during excavation, a qualified soils engineer shall be retained to make an on-site assessment of the situation.
 6. Footing drains shall be placed around all exterior footings and gravity fed to an approved drainage area.
- B. WINDOWS
 1. All windows in rooms used for sleeping shall have sills not more than 4" above the floor with an operable opening of not less than 5.7 square feet. The height of the window shall not be less than 24" with a net clear width of not less than 20".
 2. Exception: grade floor openings shall have a net clear opening of 5.6 sq. ft.
 3. Habitable rooms require 8% of floor area to be glazed with 1/2 of that glazing to be operable.
 4. All windows to be double pane insulated glazing of 3/4" double strength 1/2" glaze glass.
- C. VENTILATION
 1. Natural ventilation shall be provided to every habitable room with equal to 4% of floor area with operable windows which provide (20) fresh air changes per hour.
 2. No gas connections allowed in any room used for sleeping or in any corridors leading to or through any sleeping room.
 3. Ventilation shall be provided into all crawl spaces by means of screened vents measuring not less than 1" x 14" spaced not more than 36" apart and placed so as to provide cross ventilation.
 4. Provide (2) ventilation air ducts to furnace room (1) placed at 36" above floor and (1) placed at 2" below the ceiling with an area of not less than (2) square feet per 1000 BTU input.
 5. Provide attic ventilation equal to 1/60 of the area of the space ventilated.
 6. Mechanical ventilation may be provided in habitable rooms, where not required for emergency escape. Ducts will be able to provide (20) fresh air changes per hour.
- D. FIRE PROTECTION & WARNING
 1. Provide 1/2" type 70° ggp. bds on all supporting walls and ceilings of the garage adjacent to living areas. Not all 5/8" type 70° ggp. bds at 4" o.c. (One hour fire rated).
 2. Provide 1/2" type 70° ggp. bds on walls and under side of stairs under any stairway area used for storage. The block walls at all stair risers.
 3. Doors leading from the garage into the house shall be solid core wood or honeycomb metal doors not less than 1 1/2" thick.
 4. Smoke detectors are required in all hallway leading to sleeping rooms, sleeping rooms, unheated areas, with a minimum of (1) one with every 1000 sq. ft. of area. All smoke detectors shall be interconnected and have battery back-up.
 5. A minimum of 30" shall be provided above all ranges, grills, or cook tops to combustibles.
- E. HANDRAILS & GUARDRAILS
 1. Handrails are required at all stairways having (2) or more treads.
 2. Handrails shall be placed not less than 2'-0" above stair nosing and not more than 3'-0" above stair nosing.
 3. Handrail grip size shall have a circular cross section of 1 1/2" nominal - 2 1/4" max. Radius shall have a minimum radius of 1/4". Handrails may project 4" into the stairway on both sides. Continuous handrails shall be permitted to be interrupted by a metal post at a turn and the use of a vertical turn or starting nosing shall be allowed on lower tread.
 4. Guardrails are required at all landings or decks or floor levels more than 30" apart.
 5. Decking for guardrails shall be spaced such that a 4" diameter sphere will not pass through.
 6. When a guardrail is combined with a handrail on an open side of stairs, guardrail may be built to handrail height.



THIS IS A PRELIMINARY DRAWING AND NOT BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN THE NECESSARY PERMITS AND INSURANCE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE.

LANDFORMS
1311 WEST 400 NORTH
WEST BOUNTIFUL, UTAH

SITE PLAN, DRAWING SCHEDULE & NOTES
BENNETT RESIDENCE
WHITNEY-BAILEY PLAN
COURTESY: 2023 BY LANDFORMS DESIGN

REVISIONS	DATE	BY
1	4/1/23	CS
2		
3		
4		
5		
6		
7		
8		
9		
10		

6-SHEET NO. S1

MEMORANDUM



TO: Mayor and City Council

DATE: July 11, 2019

FROM: Duane Huffman

RE: **Financing Options – Public Works**

This memo reviews financing options for a new public works complex.

Background

Earlier this year the city engaged the architecture firm JRCA to develop a master plan and cost estimate for a new public works complex on 1200 N. The current conceptual design includes an insulated masonry structure with six pill-through bays (16,500 sq. ft.) and office space (5,100 sq. ft) as well as 11,500 sq. ft. of concrete around the building and 13,000 sq. ft. of asphalt. The cost estimate breaks down as follows:

Main Structure	\$4 million
Site and Ancillary	\$2 million
Contingencies, Furnishings, Design, etc.	\$1 million
Total	\$7 million

This estimate can change based on several factors. Factors that could decrease the costs include value engineering, reducing the square footage of the structure/yard, and eliminating elements of the design. Escalating prices in the construction world are the biggest threat to increases.

Financing Options

The city has worked with Zions Bank Public Finance to look at preliminary bonding options. An initial review identified two bonding types and two ways of issuance:

Bond Types:

General Obligation: This is a voter-approved bond that is backed by the full faith of the city (essentially, if the city doesn't have money to pay, the creditors are entitled to a tax increase to raise the money). The city does not currently have any general obligation debt.

Pros: Lowest possible interest rate.

Cons: Can't be approved until the November 2020 election.

Sales Tax Revenue: This is a council-approved bond that uses sales tax revenue as collateral. This was the type used to bond for the city hall

construction. Because sales taxes in the have grown, the city has plenty of capacity to issue more debt of this type.

Pros: Council-approved, fast issuance (as fast as 90 days).

Cons: Slightly higher interest rates. Limits future borrowing.

Issuance Types:

Market Sales: This method involves a public, competitive sale of bonds. The city would need to obtain a credit rating for the purpose of this bond.

Pros: Better interest rates.

Cons: Higher issuance costs. Costs of on-going disclosures.

Direct Purchase: In this case the city would sell the bonds directly to a financial institution.

Pros: Lower issuance costs. The debt can be structured to be paid off quicker.

Cons: Higher interest rate.

The following tables show estimates based on these bond and issuance types. It should be noted that rates change constantly, and the terms shown are meant only as examples.

Market Sales					
	Proceeds	Term	Rate	Total Interest	Maximum Annual Debt Service
General Obligation	\$ 7,095,155	20	2.196%	\$ 1,628,195	\$ 438,750
General Obligation	\$ 7,093,000	10	1.587%	\$ 529,950	\$ 764,800
General Obligation	\$ 5,070,504	20	2.202%	\$ 1,161,696	\$ 313,850
General Obligation	\$ 5,074,407	10	1.600%	\$ 378,743	\$ 547,200
Sales Tax Revenue	\$ 7,105,663	20	2.283%	\$ 1,692,837	\$ 442,350
Sales Tax Revenue	\$ 7,107,114	10	1.709%	\$ 570,886	\$ 770,400
Sales Tax Revenue	\$ 5,082,910	20	2.293%	\$ 1,210,740	\$ 316,700
Sales Tax Revenue	\$ 5,081,533	10	1.728%	\$ 408,217	\$ 551,200

Direct Purchase					
	Proceeds	Term	Rate	Total Interest	Maximum Annual Debt Service
General Obligation	\$ 7,055,000	20	2.791%	\$ 2,175,315	\$ 461,830
General Obligation	\$ 7,055,000	10	1.885%	\$ 691,331	\$ 775,027
General Obligation	\$ 5,050,000	20	2.813%	\$ 1,557,012	\$ 330,881
General Obligation	\$ 5,050,000	10	1.925%	\$ 494,833	\$ 554,907
Sales Tax Revenue	\$ 7,060,000	20	2.974%	\$ 2,328,048	\$ 469,796
Sales Tax Revenue	\$ 7,060,000	10	2.044%	\$ 751,065	\$ 781,511
Sales Tax Revenue	\$ 5,055,000	20	3.000%	\$ 1,666,940	\$ 336,593
Sales Tax Revenue	\$ 5,055,000	10	2.090%	\$ 537,948	\$ 559,616

Available Resources

Staff is currently working on a 10-year forecast of the city's General Fund budget for the purpose of being able to project the impact of additional on-going debt service. The council could also consider other appropriate on-going revenue sources such as the Water Fund.

In addition to on-going revenue streams, the current city budget includes the following one-time funds (after all budgeted projects):

Capital Improvement Fund Balance: \$2,400,000.

Road Funds (Various Sources): \$ 243,000.

Water Fund: \$3,000,000.

Other City Projects

The earmarking of on-going funding and the use of one-time resources impacts the city's ability complete other capital projects. Staff is working on updated estimates on the projected costs of needed waterline replacement throughout the city. The city currently has the following projects budgeted:

	Cap. Improv.	Water	Streets
800 W Phase 1	\$300,000	\$350,000	\$450,000
Porter Lane			\$310,000
1100 W			\$130,000
400 N Well		\$2,000,000	

MEMORANDUM



TO: Mayor and City Council

DATE: September 11, 2019

FROM: Staff

RE: 800 West Project Options

The current budget includes money for an 800 West project that includes replacing the water and storm drain from 400 North to 1000 North and constructing curb and sidewalk where it is missing. The project would also include repair of the asphalt road.

Staff has been mapping the existing utilities and other infrastructure along 800 West. We have a projected alignment for a new water line and have identified areas where surface improvements such as curb and sidewalk have not been constructed. The attached drawing shows the new water line in "red", storm drain improvements in "green", and curb and sidewalk improvements in "yellow".

Staff proposes to discuss the scope of work to be constructed next spring. There are numerous options, each with its own pros and cons.

Option 1: Construct new water line from 400 N to 1600 N and overlay 800 West road.

This option would replace a water line in dire need of replacement. Staff believes that replacement of this pipe will improve water quality for residents whose water feeds off the 800 West pipe. Minimal storm drain, curb and sidewalk improvements would be completed with this option. The existing 800 West asphalt would be milled a few inches down and a new, smoother asphalt surface installed where it already exists.

Option 2: Construct Option 1 plus the missing curb and sidewalk on east side of 800 West from 400 N to 1000 North. This section of road has the least missing curb and sidewalk. The most pedestrians would benefit from constructing this section. Staff would also recommend replacing the aged and undersized storm drain with this option.

Option 3: Construct Water, Storm Drain, Curb and Sidewalk (both sides) from 400 N to 1000 North.

This is the project that is budgeted. It is probably the limit as to what we could expect to construct in one season. Improvements to the 800 West asphalt surface would be more substantial than options 1 and 2 because much of the west side is lower than the east side. Extra work will be required to get the road to both drain properly and provide an acceptable driving cross slope.

Option 4: Construct Water, Storm Drain from 400 N to 1600 North with curb and sidewalk the entire way on the east side only.

Beyond a desire to replace the 800 West water line as expeditiously as possible, staff does not have a recommendation which option would be the best for the city. As previously stated, there are short term and long term benefits and drawbacks with each option.



MEMORANDUM



TO: Mayor and City Council

DATE: September 12, 2019

FROM: Staff

RE: Bowery behind City Hall

The contractor continues to push forward with the construction of the new school while the City and School District continue to work on site and landscape improvement designs which best meet both our needs. One of the items being discussed is the location and potential replacement of the city bowery.

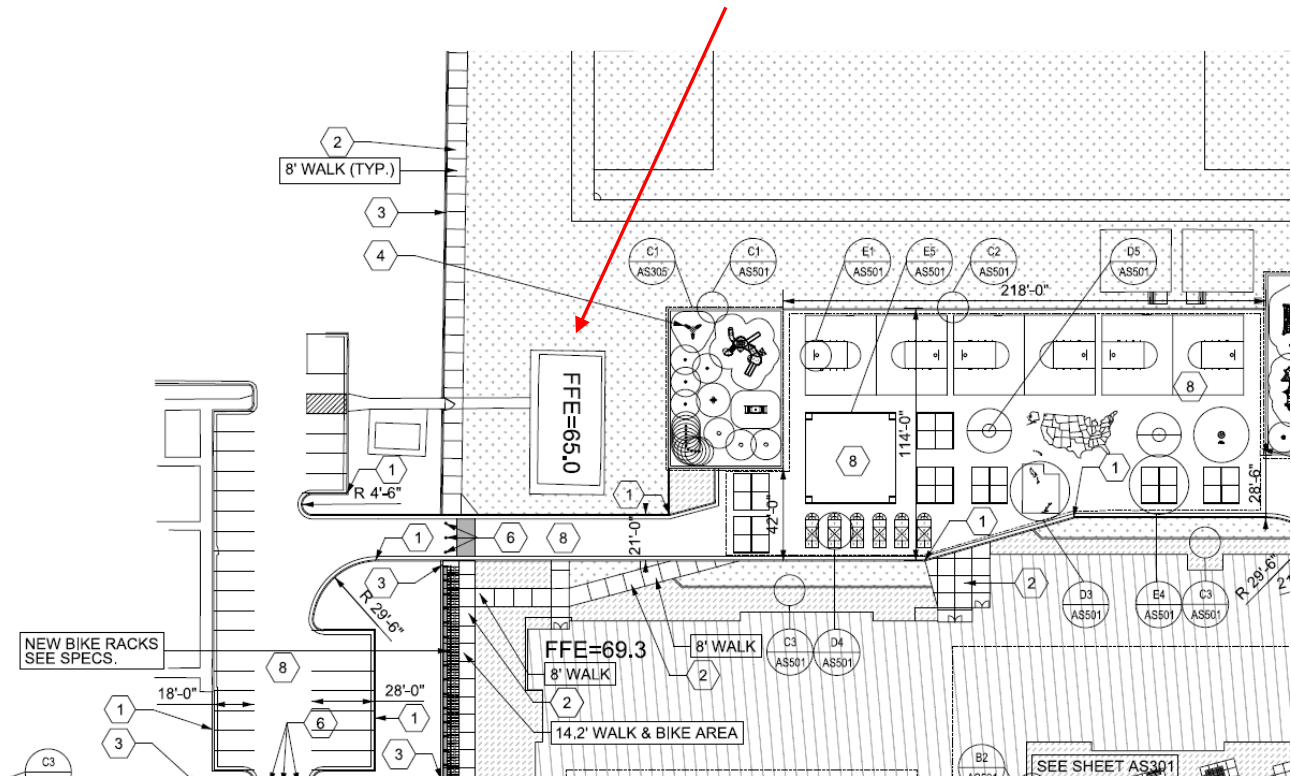
The School District is proposing to move the bowery 10 to 15 feet both north and west. A fire access road will be constructed just south of the existing bowery's location. The grass landscaped slope will be much gentler if the bowery is relocated. The School District has offered to remove the concrete pad and construct a new concrete pad if the City is interested in relocating the bowery.

If the City desires to relocate the bowery, the following questions should be addressed:

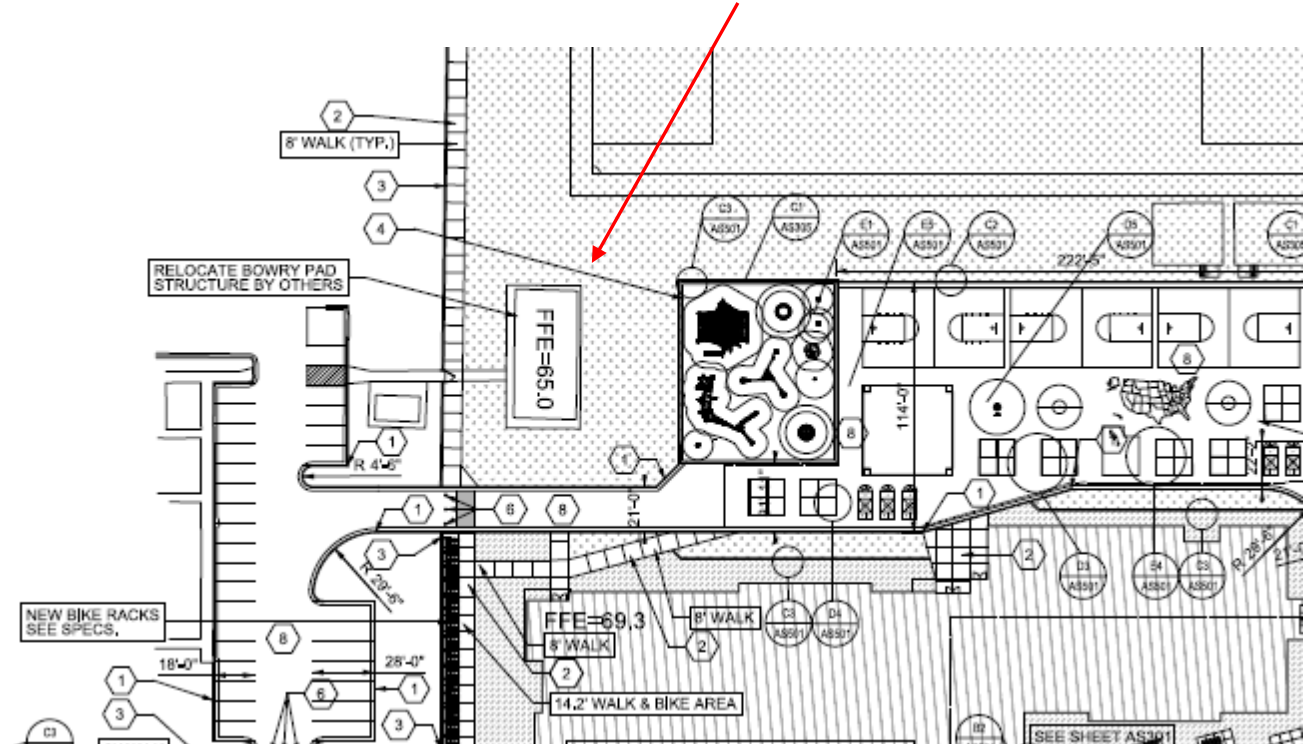
1. Is the city interested in relocating the bowery?
2. Does the city want to try to re-use the same structure?
3. Should a new bowery be the same size or smaller?
4. Is there something other than a bowery, such as a stage, that might serve the community better?
5. Is the proposed location the best location?
6. What about the trees?

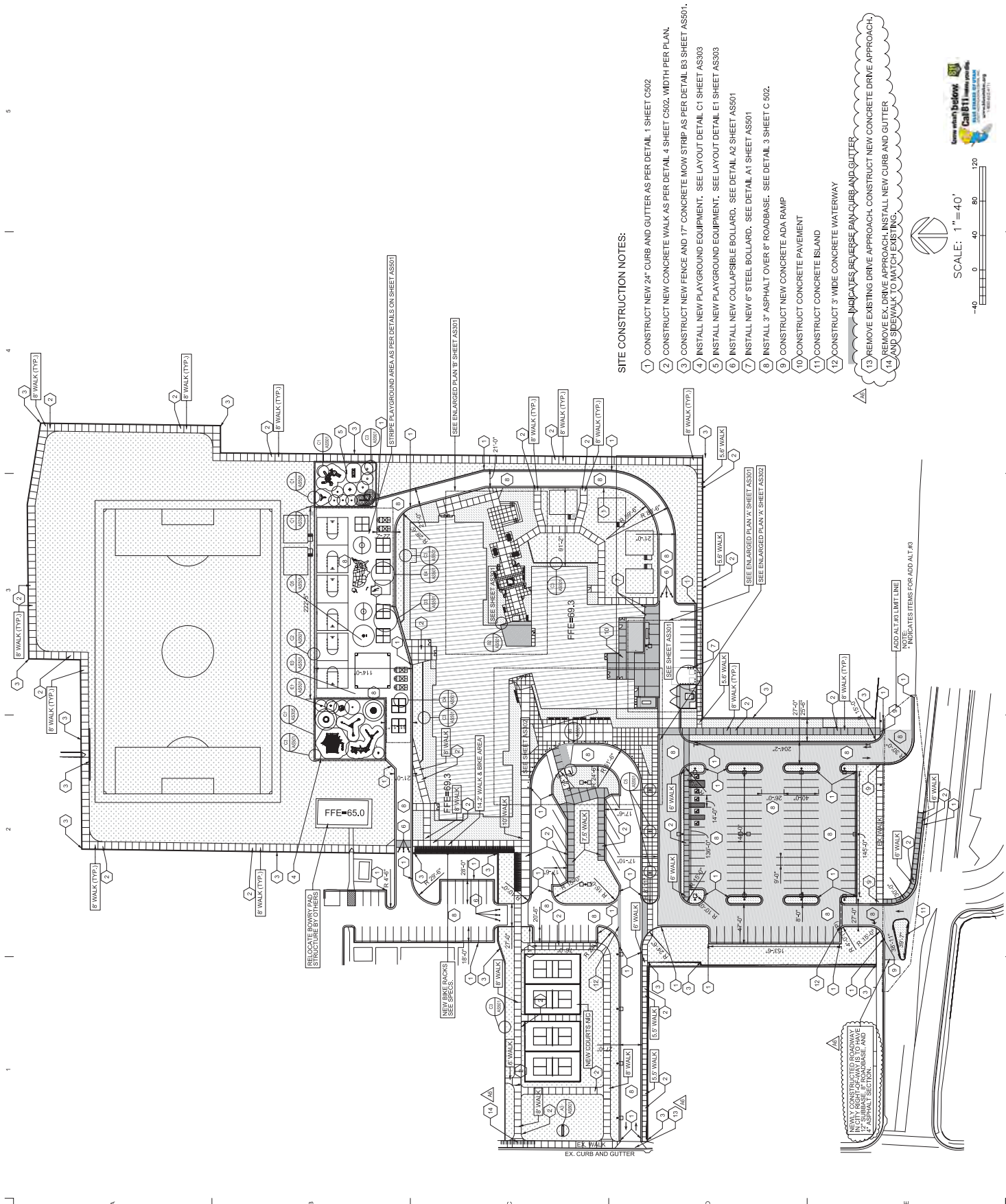
Unrelated to the bowery, the school design team is working to relocate the storm detention from the west side of the school into the parking lot, south of the school, to accommodate our pickleball request. An actual design or design process for the pickleball courts has been discussed, but not yet completed.

Location of Existing Bowery



School District Proposed Location



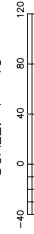


SITE CONSTRUCTION NOTES:

- 1) CONSTRUCT NEW 24" CURB AND GUTTER AS PER DETAIL 1 SHEET C502
- 2) CONSTRUCT NEW CONCRETE WALK AS PER DETAIL 4 SHEET C502. WIDTH PER PLAN.
- 3) CONSTRUCT NEW FENCE AND 17" CONCRETE MOW STRIP AS PER DETAIL B3 SHEET AS501.
- 4) INSTALL NEW PLAYGROUND EQUIPMENT. SEE LAYOUT DETAIL C1 SHEET AS303
- 5) INSTALL NEW COLLAPSIBLE BOLLARD. SEE DETAIL A2 SHEET AS501
- 6) INSTALL NEW 6" STEEL BOLLARD. SEE DETAIL A1 SHEET AS501
- 7) INSTALL 3" ASPHALT OVER 8" ROADBASE. SEE DETAIL 3 SHEET C 502.
- 8) CONSTRUCT NEW CONCRETE ADA RAMP
- 9) CONSTRUCT CONCRETE PAVEMENT
- 10) CONSTRUCT CONCRETE ISLAND
- 11) CONSTRUCT 3" WIDE CONCRETE WATERWAY
- 12) INDICATES REVERSE PAN CURB AND GUTTER
- 13) REMOVE EXISTING DRIVE APPROACH. CONSTRUCT NEW CONCRETE DRIVE APPROACH.
- 14) REMOVE EX. DRIVE APPROACH. INSTALL NEW CURB AND GUTTER AND SIDEWALK TO MATCH EXISTING.



SCALE: 1" = 40'



PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on **Tuesday, August 20, 2019** at West Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Kenneth Romney, Council members, James Ahlstrom, James Bruhn, Kelly Enquist, Mark Preece, and Andy Williams

STAFF: Duane Huffman (City Administrator), Todd Hixson (Chief of Police), Steve Doxey (City Attorney), Ben White (City Engineer), Steve Maughan (Public Works Director), Dallas Green (Director of Golf), Cathy Brightwell (City Recorder)

VISITORS: Gary Jacketta, Alan Malan, Jessica Gertsch, Dennis Vest, David Goudy, Mark Chandler

Mayor Romney called the regular meeting to order at 7:30 pm. James Bruhn provided an invocation. Andy Williams led the Pledge of Allegiance.

1. Approve Agenda

MOTION: *James Bruhn made a Motion to approve the agenda as presented. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment – two minutes per person, or five minutes if speaking on behalf of a group.

David Goudy, 2298 N 700 West, is following up to see if anything is being done with the water collecting in the gutter outside his home that he has mentioned in the past. He has tried to fill in low areas, but it has not solved the problem. Water coming off 2300 North makes the turn onto 700 West and has nowhere to go.

Ben White explained that this is a 43-year old problem as the original drainage was not designed correctly. There is only one drain in the entire subdivision. He said it can be improved, but very challenging to completely resolve. There are other similar situations around town, but this is one of the worst. There was discussion about several options, but none are ideal. There is no good answer without re-doing the entire road, and the asphalt doesn't need to be redone.

Mayor Romney asked staff to look at the problem and come up with options, including costs/estimates, to improve it. Other areas in the city where known problems exist should be included.

3. Canvass 2019 Municipal Primary Election.

Mayor Romney reviewed the results of the 2019 Primary Election as provided by Davis County. He noted the impressive 38.27% turn-out. There were 1196 ballots cast.

MOTION: *James Ahlstrom made a Motion to Certify the results of the 2019 Primary Municipal Election and declare elected James Ahlstrom (661 votes), James Bruhn (511 votes), Jessica Gertsch (434 votes), Dennis Vest (391 votes), Andy Williams (453 votes) and Rod Wood (439 votes) who will move on to the General Election on November 5. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye	Mark Preece – Aye
James Bruhn – Aye	Andy Williams – Aye
Kelly Enquist – Aye	Ken Romney - Aye

4. Discussion on Proposed 400 North Well.

Ben White provided a brief overview and background. For many years West Bountiful City has pursued an additional source of water to strengthen and protect the city's ability to provide culinary water to residents. Currently, the bulk of the city's water comes from purchases from Weber Basin Water Conservancy District, with supplemental amounts from the city's Stone Creek Well and purchases from Bountiful City's surplus water. Due to issues with the Stone Creek Well, it is not considered a viable long-term source of water for the city. An additional source controlled by West Bountiful City will protect the city from future cost increases and supply disruptions. In 2013, the city hired Stantec to conduct a well siting study, and in 2018, CRS Engineers was hired to design the well.

At the meeting on August 6th, 2019, the city council asked staff to return with more information related to the overall process on drilling the well, the suitability of the location and the overall cost of the project. In an effort to provide the requested information, Ben introduced Mark Chandler, a representative from CRS Engineering. Mark is the designer of the well which also includes lengthy studies requiring approval by the Division of Drinking Water and Division of Water Rights to obtain permission to drill at this site. He has worked for nearby cities of Bountiful, Woods Cross, Farmington, Layton and North Salt Lake.

Mr. Chandler has reviewed the Stantec hydrogeologic evaluation and test well siting study and believes they did a competent job. The four test well sites in the Stantec study were prioritized based on rankings of flow/flow reliability, water quality, potential contamination concerns, well interference, water right issues, land ownership, and probable construction costs. He said the 400 North well site is the highest rated location from the study. He believes completing another study would likely be a waste of time and money.

There was discussion about the need for a well. Mr. Chandler noted that it is uncommon for a city to not have its own source – the only similar city in Davis County he is aware of without its own groundwater source is Kaysville. Weber water prices are expected to increase more than what it will cost to have a well. A recent study for a new well in West Jordan showed that it paid for itself in five years.

Mr. Chandler described the difference between this process for well development compared to the city's previous efforts. The earlier test well was 2.5" – 3" wide, and it was able to identify soil characteristics and evidence of water present, but it did not allow for any actual water testing because the hole was too small. A production well was drilled a short distance away. Water conditions can change dramatically in a short distance. He recommends using the same location for

the production well as the test well. This proposed test well will be 12” diameter and drilling will include collecting soil water samples along the way to test for capacity and quality. He is confident we will find water – the question will be quantity and quality. He believes this is a solid investment, but there is never a guarantee.

There was discussion about whether the well, if successful, would produce enough water to supply the entire city and if the cost proposal was reasonable. Ben White responded that it is expected to produce around 600 to 1000 gpm, and currently the city would need approximately 1000 gpm to be fully self-sufficient. Mr. Chandler added that if initial samples suggest the well go deeper, we may only have a short period of time to decide on the additional drilling. If the last hundred feet are looking good, should we continue to drill deeper. As far as cost comparisons, this well is in line with costs Weber Basin has paid for recent wells.

Because the city does not own the site, there was concern about future relocation requirements. Mr. Huffman explained that state law requires UDOT to pay to move the well if they need it moved.

Council member Williams commented that the city needs water and needs to be as independent as it can be. Water is becoming more and more scarce.

Council member Enquist noted that we never know what legislators may do regarding water rights. We have them so it’s a good time to move forward. He asked why we should not drill at the golf course where it should be easier. Mr. Chandler responded that the Stantec study shows that water quality deteriorates as you go farther west. That water can be great for irrigation but not suitable for drinking.

When asked why the Stantec report identified the specific four sites, Mr. White stated that the city gave Stantec three areas we thought we could get access to drill. They had done their own research and also proposed Dewey Peterson property, after discussions with Mr. Peterson, which is essentially the same as the proposed 400 North location.

Staff was asked what additional costs would be incurred. Mr. Chandler said a well house and chlorination could be approximately \$400-500k. Similar well houses were recently built in Park City and Herriman for about \$450k.

5. Consider Award of Well Drilling Contract for 400 North Well for \$798,110.

MOTION – *Andy Williams made a Motion to Award the Well Drilling Contract to CRS Engineers for the 400 North Well for \$798,110 with the potential to expand if necessary. James Ahlstrom seconded the Motion which Passed by vote of 4-1, with Council member Enquist voting Nay.*

Council member Enquist stated he supports drilling a new well but does not believe this is the best location.

6. Consider Approval of Minutes from the August 6, 2019 City Council Meeting.

MOTION: *James Ahlstrom made a Motion to Approve the Minutes from the August 6, 2019 City Council Meeting as presented. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present*

7. **Public Works (Steve Maughan).**

- Steve Maughan –Road striping is finishing up; cross walks are a little different but look good. Mtn View Estates is planning to pave by the end of September.
- Council member Ahlstrom asked about the status of the trail from Manors at McKean Meadows to the Prospector Trail. Steve responded that it cannot be completed until the developer has clearance to build over the gas easement.

8. **Police Report (Chief Hixson).**

- School has started so the crossing guards are back. We held their annual training yesterday. LaVerne Greaves contacted us that she will no longer work as a substitute. We have two other subs in place so it should be ok.
- Reserve officers – a new voluntary reserve officer accepted our employment offer. Reserve Officer Parker Bjorndal has completed training except for ghost week. We are completing background check on a third reserve officer.
- Officer Halliday has completed field training.
- EmPAC meeting was held tonight.

9. **Administrative Report (Duane Huffman).**

- The ULCT annual conference is in Salt Lake in September. Let him know quickly who wants to attend.
- Met with Davis Tech, who is always looking for small businesses (1-500 employees) they can help with free business consulting.
- Meeting with Woodhaven trailer park regarding its non-conforming status. The intent is to discuss what regulations apply and resolve issues so they can move forward.
- Met with McKay Bennett regarding his 2013 public improvements deferral agreement which did not include piping the ditch. He will likely come asking to expand the Deferral to include piping as he will need to put in a box past his neighbor to connect to existing piping.
- Request an Executive Session to discuss security measures.

10. **Mayor/Council Reports.**

James Ahlstrom – nothing to report.

Mark Preece – nothing to report.

James Bruhn – nothing to report.

Andy Williams – The Youth Council retreat is scheduled for Labor Day weekend in Park City.

Kelly Enquist – Mosquito Abatement report – Positive West Nile tests have gone from 60 to over 120.

Mayor Romney – nothing to report.

11. Executive Session for the Purpose of Discussion Items as Allowed Pursuant to UCA 52-4-205(1)(f).

MOTION: *James Ahlstrom made a Motion to move into Executive Session in the Police Training room for the purpose of discussing deployment of security personnel, devices, or systems. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye

Mark Preece – Aye

James Bruhn – Aye

Andy Williams – Aye

Kelly Enquist – Aye

MOTION: *James Ahlstrom made a Motion to close the executive session at 8:57 p.m. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

12. Adjourn.

MOTION: *James Bruhn made a Motion to Adjourn this meeting of the City Council at 9:00 p.m. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on September 17, 2019 by unanimous vote of all members present.

Cathy Brightwell (City Recorder)

1 **PENDING – NOT YET APPROVED**

2
3 Minutes of a Special West Bountiful City Council meeting held on **Tuesday, August 27, 2019** at
4 West Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah.

5
6 Those in attendance:

7 **MEMBERS:** Mayor Kenneth Romney, Council members James Bruhn, Mark Preece,
8 and Andy Williams

9
10 **EXCUSED:** Council member Kelly Enquist, James Ahlstrom

11
12 **STAFF:** Duane Huffman (City Administrator), Cathy Brightwell (City Recorder)

13
14 -----
15
16 Mayor Romney convened a meeting of the West Bountiful Board of Canvassers at 5:01 pm.

17
18 **1. Re-Canvass 2019 Municipal Primary Election.**

19
20 The canvass report approved on August 20, 2019, as provided by Davis County, did not
21 include the total number of votes counted in the municipal primary election held on August 13,
22 2019. The correct vote totals have been provided to re-canvass.

23 Mayor Romney reviewed the results which show 1206 ballots were cast for a turn-out of
24 38.6%.

25
26 **MOTION:** *James Bruhn made a Motion to Re-Certify the results of the 2019 Primary*
27 *Municipal Election and declare elected James Ahlstrom (665 votes), James Bruhn (514*
28 *votes), Jessica Gertsch (439 votes), Dennis Vest (394 votes), Andy Williams (458 votes)*
29 *and Rod Wood (447 votes) who will move on to the General Election on November 5.*
30 *Andy Williams seconded the Motion which PASSED.*

31
32 The vote was recorded as follows:

33 Ken Romney – Aye Mark Preece – Aye
34 James Bruhn – Aye Andy Williams - Aye

35
36 **2. Adjourn.**

37
38 **MOTION:** *Andy Williams Moved to Adjourn this meeting at 5:03 p.m. James Bruhn*
39 *seconded the Motion which PASSED by unanimous vote.*

40 -----
41
42 *The foregoing was approved by the West Bountiful City Council on September 17, 2019 by*
43 *unanimous vote of all members present.*

44
45 _____
Cathy Brightwell (City Recorder)

WEST BOUNTIFUL CITY POLICE DEPARTMENT

Todd L. Hixson
Chief of Police

550 North 800 West
West Bountiful, Utah 84087
Office 801- 292-4487/Fax 801 – 294-3590

Kenneth Romney
Mayor

West Bountiful City Council Report September 17, 2019

Statistics are from August 2019; the other information reported is collected between council meetings.

Crossing Guards

No issues involving the crossing guards. They are doing a great job!

One of our substitute crossing guards has finished training and has completed a day working with each crossing guard.

Reserve Officer Program

Chris Fiedler has begun his field training.

Parker Bjorndal has completed his ghost week and has been released from field training. Parker has done an amazing job for the police department and the city.

We are still completing the background investigation on our third and final reserve officer now.

Personnel

Allen Van Wagoner worked his last shift on September 10, 2019.

We have posted the full-time police officer position. Our first review of applications will be October 1, 2019.

EmPAC

EmPAC meeting is held quarterly unless there is urgent business that needs attending. The next meeting will be in November 2019.

General Information

West Bountiful Police took part in a drill at Holly refinery.

Chief Hixson and Asst. Chief Erikson taught the citizens academy on September 7th.

West Bountiful Police Department

Department Summary

8/1/2019 to 8/31/2019

Arrests	16	
Adult	16	100.0%

Activities	1,447	
Admin	217	15.0%
Assist	166	11.5%
Community Relations	11	0.8%
Fires	1	0.1%
Investigation	108	7.5%
K-9	1	0.1%
Patrol	225	15.5%
Property	7	0.5%
Security	251	17.3%
Service Call	89	6.2%
Suspicious Activity	36	2.5%
Traffic	326	22.5%
Vehicle Accident	9	0.6%

Shift Time and Percent Accounted	1184 hr. 41 min.	61.1%
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Reports	334	
CITATION REPORT	105	31.4%
INCIDENT REPORT	145	43.4%
OFFICER INFORMATION	76	22.8%
POLICE VEHICLE IMPOUND	8	2.4%

Department Summary

Crime Offenses	68	
ANIMAL CONTROL	1	1.5%
ARSON	1	1.5%
ASSAULT	1	1.5%
BURGLARY	3	4.4%
COUNTERFEITING	6	8.8%
DAMAGE PROPERTY	4	5.9%
DANGEROUS DRUGS	4	5.9%
FAMILY OFFENSE	5	7.4%
FRAUD	5	7.4%
JUVENILE STATUS OFFENSES	1	1.5%
KIDNAPPING	1	1.5%
OTHER/MISC	1	1.5%
PRIVACY VIOLATIONS	5	7.4%
PUBLIC PEACE	5	7.4%
SEX ASSAULT	1	1.5%
THEFT	11	16.2%
TRAFFIC OFFENSE	10	14.7%
WARRANT SERVICE	3	4.4%

Accidents	15
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Citation Violations	133	
Fix it	4	3.0%
Misdemeanor	5	3.8%
Traffic	92	69.2%
Warning	32	24.1%

1 **West Bountiful City**
2 **Planning Commission Meeting**

September 10, 2019

3 **PENDING – NOT APPROVED**

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website,
5 on the West Bountiful City website, and at city hall on September 6, 2019 per state statutory
6 requirement.

7 Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 10,
8 2019 at West Bountiful City Hall, Davis County, Utah.

9 **Those in Attendance:**

10 **MEMBERS PRESENT:** Mike Cottle, Alan Malan, Laura Charchenko, Corey Sweat, Dee Vest (alternate),
11 Council member Kelly Enquist

12 **MEMBERS EXCUSED:** Chairman Denis Hopkinson

13 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (Recorder), and Debbie McKean
14 (Secretary)

15 **VISITORS:** None

16 The Planning Commission meeting was called to order at 7:30 pm by Vice-Chairman Alan Malan. Corey
17 Sweat offered a prayer.

18 **1. Accept Agenda**

19 Vice-Chairman Alan Malan reviewed the agenda. Corey Sweat moved to accept the agenda. Mike Cottle
20 seconded the motion. Voting was unanimous in favor among all members present.

21 **2. Discuss Land Use Process and Fees**

22 Commissioner packets included a memorandum dated September 6, 2019 from Ben White regarding a
23 Fee Schedule proposal with an updated zoning fee schedule. Memorandum included the following
24 information:

- 25 • City relies on Utah State Code to define the land use processes it uses such as plat amendments,
26 rezone and text changes to city code, annexation, and modifying easements. For the most part,
27 State Code serves the City adequately.
- 28 • The Planning Commission requested that staff review the issues related to fees and process
29 entitlements with legal counsel. Legal Counsel states that reasonable fees can be charged for
30 services that require staff time without creating additional entitlement. Staff time is spent on
31 every land use application before the Planning Commission or City Council gets an opportunity
32 to decide whether they wish to consider the request or not.
- 33 • With the review of our City Attorney, staff is suggesting the proposed fee schedule with
34 modifications and additions to land use fees.
- 35 • Staff has not recommended including processes for items such as rezone request which are
36 currently not in our code. The City may want to consider adding language which “legitimizes”

the right to charge the fee. The Fee Schedule is adopted by ordinance authorizing the city to charge the fee but noting the fee in our in our municipal code would be better.

Ben White reviewed what was talked about at the last meeting and that legal counsel does not believe collecting a fee entitles the application to be considered or hold a public hearing. He explained the process for each of the zoning items and how they determined the fee for each application.

The Proposed Fee Schedule Changes Include:

Lot Line Adjustment: State code now allows lot line adjustments without city involvement, so the fee has become obsolete and is proposed to be removed.

Plat Amendment Fee - \$100 if no easements are involved and \$150 if easements are to be relocated.

Plat Recording Fee – Actual cost of recording.

Recording Document Fees are updated to reflect an increased recording cost at the County - \$50 per document.

Text change to Municipal Code fee is new. The process and outcome are the same as a rezone and oftentimes a text change takes more time and effort. Staff believes the fee for text changes should be the same as the current Rezone Fee which is \$150.

There was discussion about several of the fees and whether the city is required to accept an application or request. Mr. White stated that we do not have to consider everything and proceeded to explain how the fee would be used and why it is needed. There is a lot of effort in review and preparation before it even gets to the planning commission.

As a public hearing is necessary to move forward with accepting this fee schedule, staff will schedule for October 8.

3. Discuss Accessory Dwelling Units (ADUs)/County Recording Requirements.

Commissioner packets included a memorandum dated September 6, 2019. The memorandum included the following information:

- Many cities require that the stipulations related to ADUs be recorded. Staff believes West Bountiful would benefit from the requirement as well. ADUs are currently allowed as a Conditional Use with the Conditional Use Permit expiring upon sale of the property.
- Staff is recommending that the requirements included in the Conditional Use Permit be recorded so any future owner would not be caught unaware. Staff is requesting the following change as shown below.

17.82.040 Conditional Use

Any ADU shall conform to the development standards of Section 17.82.050 and shall constitute a conditional use in all residential zones subject to the approval and issuance of a conditional use permit by the Planning Commission and recorded in the office of the County Recorder.

Alan Malan would like “in the office of” replaced with “with” to make the language more concise.

A public hearing is needed as it is a land use change and will be scheduled for October 8th.

4. Staff Report

Ben White

- Atwater (Glover) Subdivision on 800 West has the road closed from time to time as they are installing utility services.
- Mountain View Estates is getting ready to pave next week.
- There is a potential amended plat for the Skiddy property to include a one-acre flag lot. We are not obligated to accept amended plats.
- Request has been received to make a text change to the BU Zone on behalf of the Plumb property. Ben is communicating with them to clarify items before coming to Planning Commission.
- Received additional information today from Canyon Pipeline regarding their Conditional Use Permit on the Sewer District Property.
- Will schedule a public hearing on October 8th for the general plan so we can meet the statutory deadline for final approval of December 31.
- 1100 West construction will begin soon to extend the sidewalk from the canal up to 200 N.
- The first well drilling is completed. Findings look good so far but test results won't be in until next week.

Cathy Brightwell

- Cathy will be out of the office all next week so will not be able to prepare packets on Friday, for the September 24 planning commission meeting. She asked if they could be distributed on Monday, September 23. There was no objection.

5. Consider Approval of Minutes from August 27, 2019 meeting.

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the August 27, 2019 meeting as presented. Dee Vest seconded the motion and voting was unanimous in favor.

6. Adjournment

ACTION TAKEN:

Laura Charchenko moved to adjourn the regular session of the Planning Commission meeting at 8:00pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on September 10, 2019 by unanimous vote of all members present.

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112 *Cathy Brightwell – City Recorder*

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